

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WILLIE SIMPSON,

Plaintiff,

v.

SARAH AFFELDT,

Defendant.

ORDER

11-cv-298-bbc

Plaintiff Willie Simpson, a prisoner at the Wisconsin Secure Program Facility in Boscobel, Wisconsin, has submitted a proposed complaint. He requests leave to proceed in forma pauperis. A decision on the request will be delayed until plaintiff makes an initial partial payment of the filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because the trust fund account statement he submitted with his complaint does not cover the full six-month period immediately preceding the filing of his complaint.

Plaintiff's complaint was submitted on April 20, 2011. His trust fund account statement should cover the period beginning approximately October 20, 2010 and ending approximately April 20, 2011. Instead, plaintiff submitted a one-week canteen statement

for the period beginning April 5, 2011 and ending April 11, 2011. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2). Plaintiff should show a copy of this order to prison officials to make sure that they are aware they should send a copy of plaintiff's six-month trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff may have until May 18, 2011, in which to submit a trust fund account statement for the period beginning October 20, 2010 and ending April 20, 2011. If, by May 18, 2011, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that case, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 26th day of April, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge